

Official

S-20-03
72Docket No. 00169.000976.
Date: April 8, 2003NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
AND PETITION FOR EXTENSION OF TIME

In re Application of: JAMES PHILIP ANDREW

Application No.: 09/161,770

For: A METHOD FOR DIGITAL DATA COMPRESSION

Filed: September 29, 1998

Group Art Unit: 2621

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 8, 2002, of the Primary Examiner finally rejecting claims 43-53, 55-69, 71-80, 91-111 and 113-120.

The items checked below are appropriate.

1. ☒ Applicant hereby petitions for a three-month extension of time to respond to the final rejection; the \$930.00 extension fee under 37 C.F.R. §1.17 is filed herewith.
2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$ ____ extension fee under 37 C.F.R. §1.17, was filed on ____.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on
April 8, 2003
(Date of Deposit)

Leonard P. Diana
(Name of Attorney for Applicant)

Signature

April 8, 2003
Date of Signature

3. ☒ Fee \$320.00
- ☐ Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☒ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)
4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Zel P. Diana
Attorney for Applicant

Registration No. 28,286

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 241225v1

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza
New York, NY 10112-3801
(212) 218-2100

Facsimile: (212) 218-2200

FACSIMILE COVER SHEET

TO:	Ms. Butler U.S. Patent and Trademark Office	
FROM:	Raymond DiPerna	
RE:	Serial No. 09/161,770 Our Ref. 00169.000976.	
FAX NO.:	703-872-9314	
DATE:	May 20, 2003	NO. OF PAGES: 4 <small>(including cover page)</small>
TIME:	SENT BY:	

MESSAGE

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 212-218-2100 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

Official

Commissioner for Patents
Washington, D.C. 20231Date 4 / 8 / 03
Mo. Day Yr.Any. Docket 00169.000996Application No 09/161,770

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action, _____
- ☐ Check for \$ _____ (claim fee)
- ☒ Petition under 37 CFR 1.136 and Check for \$ 930.00
- ☒ Notice of Appeal and Check for \$ 320.00
- ☐ Information Disclosure Statement, PTO-1449 and _____ documents
- ☐ Claim for priority and certified copies of _____ priority applications
- ☐ Issue fee transmittal and Check for \$ _____
- ☐ Other (specify) _____

by placing your receiving date stamp hereon and mailing or returning to deliverer.

By LPO/RDP/VADue Date 4 / 8 / 03
Mo. Day Yr.37 CFR 1.8 ☒37 CFR 1.10 ☐By Hand ☐

FO-8-B-30